



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :  
Embil *et al.* :  
Serial No.: 10/761,390 : Group Art Unit 1615  
For: Topical Pharmaceutical and/or : Examiner Channavajjala  
Cosmetic Dispense Systems :  
Filed: January 22, 2002 :

**Response to Final Office Action Mailed October 2, 2008**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is responsive to the Final Office Action mailed on October 2, 2008. Applicants wish to again thank Examiner Channavajjala for the courtesy of an interview.

- Amendments to the Claims, reflecting the interview discussion, begin on Page 2.
- Remarks begin on Page 7.

Pursuant to 37 CFR § 1.114, Applicants file herewith a Request for Continued Examination (PTO/SB/30), together with the required fees under 37 CFR § 1.17(e).

Pursuant to 37 CFR § 1.136(a), Applicants file herewith a Petition for Extension of Time (PTO/SB/22), together with the required fees under 37 CFR § 1.117(a)(3).

In light of these amendments, the Declaration of Dr. Sergio Nacht submitted herewith pursuant to 37 CFR § 1.132, the arguments presented hereinbelow, as well as the Declarations of Drs. Robert Lochhead and Martin Katz and the arguments previously of record, Applicants respectfully submit that the Application is now in condition for allowance.